

Dear Commission,

In response to your request for comment on the proposal of reclassifying DSL Access Service from a Telecommunication Service to a Information Service. It is my opinion that both this model and the already adopted Cable Data Access model as an Information Service under computer is faulty. First, both are local Telecommunication Access Services as defined by the FCC and Congress to be a system for the two way communication of information between to end points with in a local equal access calling area or to an InterLata carrier and a distant end point.

The speed or make up of the communication being digital does not qualify the Access Service as an information service as define by Computer II, III or IV. Defined as the providing the storage of and transaction of reading stored information from a database either by computer automation or by Operator reading verbally over a telephone.

That to take this position requires the FCC to have to consider all forms of digital access including DS-1, DS-3, OC-3 and any other form of digital transmission used to as a access technology between a customer and some kind of unregulated Information Service (private or public). All Private Line Telecommunication Service would have to treated as Cable and DSL Access including T-1 and PRI Access to the PSTN Telephone Switch network would have to be included by your new definition.

It would not lead as you content to wider ILEC or RBOC deployment of DSL or other broadband technology to homes, especially in rural markets. Current Unbundled Network Elements and a new alternative of "Open Community Access Network" would better serve the leveling of the competitive playing field but currently lack the necessary parity between Cable TV and Telecommunication Providers to provide open access to unbundled loops or drops.

This combined common unbundling requirement with the reclassification of Cable Internet Access as a Telecommunication Service subject to the same FCC and PUC regulation would be a much more consistent and workable model to foster Broadband investment. The alternative City LEC model provides for an even more open access network owned by a third party public entity like a City utility. Service provided on a "city utility model" requiring a minimum of two Internet, two Cable TV and two Telephone service providers be given open access to interconnect provides the highest level of competing service to end-user on a non-discriminating basis.

I currently work for an RBOC and know the level of potential anti-competitive position your proposal offers us and as a consumer I know your proposed policy change is bad Public Policy!!!

Thank you for your consideration.

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